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SUBJECT: PRESIDENTIAL PARDON DECREE INCLUDES YOUTH ACTIVIST

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SENSITIVE BUT UNCLASSIFIED; NOT FOR INTERNET DISTRIBUTION.

1.(U) On March 19, at the start of the weeklong national holiday Novruz, Azerbaijani President Ilham Aliyev issued a pardon decree that released 100 prisoners. Responding to numerous appeals of prisoners, their families, law enforcement bodies and the Human Rights Ombudsman, President Aliyev released 85 convicts from prison, commuted sentences of nine prisoners, and also suspended penalty fines against four persons.

¶2. (U) The decree ended the already suspended sentence of one of the three leaders of the Yeni Fikir youth group, Said Nuriyev. Nuriyev was sentenced to prison in July 2006 in a proceeding that did not meet international standards for a fair trial, along with Ruslan Bashirli and Ramin Tagiyev. (At the time of sentencing, the court suspended Nuriyev's three year sentence because of his congenital health problems.) Many human rights activists had appealed for Nuriyev's sentence to be cancelled since it would enable him to travel overseas without GOAJ permission to obtain further medical care. The only other prominent prisoner included in the pardon was Keramet Kerimov, a military commander involved in Heydar Aliyev's seizure of power in 1993, who had been sentenced to life in prison on charges of treason, keeping of weapons and forming a criminal gang. The decree also included two citizens of Afghanistan and one from Vietnam.

¶3. (SBU) Although all welcomed Nuriyev's pardon, most human rights activists believed the presidential decree did not do enough to address the broader question of who should be considered political prisoners. One local human rights group, the Federation of Human Rights Organizations of Azerbaijan, said that this latest presidential decree included 12 persons from their list of political prisoners but that 65 political prisoners remain on the group's list. Leyla Yunus, Director of the Institute for Peace and Democracy, concurred with this view. Yunus said she strongly believes that the GOAJ will ignore the NGOs' political prisoners' lists as long as the international community does not press the GOAJ to address them.

¶4. (U) Novella Jafarova and Saida Gojamanly, prominent human rights defenders, also expressed dissatisfaction with the latest pardon decree. Both expressed regret that national Karabakh war hero Rasim Akparov was not included. (Akparov had been sentenced to life sentence on treason charges.) Jafarolgu also said that other persons she considers to be political prisoners, such as Popular Front Party activist from Nakchivan Arif Aliyev, Natik Efendiye (jailed on charges of illegal possession of weapons and involvement in mass rioting), Mehdi Mehdiyev (jailed on charges of hooliganism/beating of journalists), Mirza Sakit (jailed for illegal possession of drugs), Sakhavat Humbatov (jailed on treason/coup d'etat charges), and Akif Huseynov (jailed on treason/spionage charges), were not included.

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